



Grievance Policy and Procedure

DOCUMENT CONTROL

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DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	17 October 2022 (16:00)

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 1 November 2025 but sooner if impacted by legislative changes

REVISION HISTORY

Version	Revision date	Summary of revision

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1. Policy Statement

- 1.1 The purpose of the Staff Grievance Policy and Procedure is to give all employees access to a procedure to help deal with any grievances relating to their employment fairly, whatever their nature, and promptly.
- 1.2 In practice this means we aim to investigate any formal grievance you raise, hold a meeting to discuss it with you, inform you in writing of the outcome, and give you a right of appeal if you are not satisfied. The purpose of this procedure is to set out how employees can raise a grievance and how we will investigate and deal with grievances.

2. Introduction

- 2.1 This policy will apply to the Cherwell District Council Senior Chief and/or Deputy Chief Officers including the Chief Executive and all employees at Cherwell District Council, and will apply whenever grievances are raised. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns. This policy will also not apply to third party or partner organisations where employees are not employed directly by the Council.
- 2.2 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.
- 2.3 Human Resources has responsibility for advising managers on all aspects of the operation of this policy. Therefore, HR should be consulted when a grievance is raised by an employee or in respect of any grievance that is being dealt with.

3. Confidentiality

- 3.1 Strict confidentiality must be maintained when dealing with grievances. **All those involved in the grievance** including managers, the employee, colleagues, witnesses and representatives must maintain strict confidentiality **at all times** in order to ensure the integrity of the investigation process.
- 3.2 Records should be kept detailing the nature of the grievance raised, the response, any action taken, and the reasons for it.

4. Types Of Grievance

- 4.1 There are many forms of grievance that staff may have. They can range from work related issues, to concerns about an employee's fellow worker's or a client's actions that affect them. They can also cover terms and conditions of employment, health and safety, relationships at work, new working practices, organisational change and equal opportunities. Whilst not exhaustive, the following list identifies

the main grievances that can be brought under this procedure. Types of grievance may include:

- (a) Discrimination
- (b) Terms and conditions of employment
- (c) Unfair application of Council policy
- (d) Health & Safety complaints
- (e) Work relations
- (f) Bullying and harassment;
- (g) New working practices;
- (h) Working environment; and
- (i) Organisational change.

4.2 This procedure covers all types of grievances **except** those relating to grading, pensions or disciplinary issues for which separate procedures exist. (See separate Council policies as appropriate.)

5. Collective Grievances

5.1 If a collective grievance arises involving a group of employees within the same or different departments, but relating to the same issue, it may be dealt with through this policy, and the group of staff may nominate a spokesperson to represent their case.

PROCEDURE

6. Raising grievances informally

6.1 Most grievances can be resolved quickly and informally through discussion with your line manager. All employees may choose and are encouraged to discuss the grievance with their line manager (or their line manager's manager where the grievance concerns the line manager) to see if the matter can be resolved informally and without invoking the formal grievance procedure.

6.2 Informal procedures concentrate on conciliation, not sanctions. For example, asking someone to stop doing something or to apologise. Managers must take any issue raised with them seriously.

6.3 If this does not resolve the issue, you should follow the formal procedure below.

6.4 Mediation may potentially be an option available to the employee, in appropriate circumstances, as an alternative way of resolving a grievance.

7. Formal written grievances

7.1 If your grievance process cannot be resolved informally you should put it in writing. The written grievance should contain a brief description of the nature of your complaint, including any relevant facts, dates, and names of individuals involved. The employee should complete a staff grievance form (which can be found at

Appendix 1). The staff member making the grievance should send the grievance form to their HR Business Partner.

8. Representation

- 8.1 If the employee is invited to a grievance hearing or appeal meeting under this procedure, they may bring a companion who may be either a trade union representative or a colleague.
- 8.2 The representative must be permitted to make representations and ask questions, and to confer with the person they are representing during the hearing in order to clarify issues. However, the representative is not entitled to answer questions on behalf of that person.
- 8.3 The hearing must be postponed if the representative is unavailable, but they must propose a reasonable alternative date and time within five working days from the postponed hearing date. If the chosen companion will not be available for more than five working days afterwards, we may ask the employee to choose someone else.

9. Timing

- 9.1 A key and essential feature of the Staff Grievance Procedure is dealing with grievances promptly.
- 9.2 The actual timescale may often depend on the nature of the grievance and the circumstances.
- 9.3 Dependent upon the nature of the grievance, it may be appropriate to take immediate steps to assist the employee. For example, it may be necessary to take immediate steps to ensure the safety of the employee making the grievance. Such action could include reorganising or relocating work to avoid close or regular contact with a particular individual.

10. Grievance meetings

- 10.1 Following receipt of the grievance form (Appendix 1), we will arrange a grievance meeting, normally to take place within one week of receiving your written grievance. You and your companion (if any) should make every effort to attend grievance meetings. If you or your companion cannot attend at the time specified, you should inform us immediately and we will try, within reason, to agree an alternative time.
- 10.2 The purpose of a grievance meeting is to enable you to explain your grievance and how you think it should be resolved, and to assist us to reach a decision based on the available evidence and the representations you have made.

- 10.3 After an initial grievance meeting we may carry out further investigations and hold further grievance meetings as we consider appropriate. Such meetings will be arranged without unreasonable delay.
- 10.4 We will write to you, usually within one week of the final grievance meeting, to inform you of the outcome of your grievance and any further action that we intend to take to resolve the grievance. We will also remind you of your right of appeal. Where appropriate we may hold a meeting to give you this information in person.

11. Investigation

- 11.1 It may be necessary for us to carry out an investigation into your grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.
- 11.2 You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as part of our investigation.
- 11.3 We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance meeting with you after our investigation and before we reach a decision.

12. Stage Three - Appeal

- 12.1 The complainant can appeal against the decision/outcome if the grievance has not been resolved to their satisfaction. This appeal must be made to the Assistant Director – HR in writing on the form found at Appendix 2 within 5 working days of receiving the decision in writing.
- 12.2 An appeal meeting will be held, normally within five working days of receiving the written appeal. The appeal will be heard by the Appeals Panel. They may ask anyone previously involved to be present. The complainant has the right to bring a colleague or trade union representative to the meeting.
- 12.3 The Appeals Panel will confirm their decision in writing, usually within 5 working days of the appeal hearing. This decision is final and there is no further appeal.

Appendix 4

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Did you speak informally to your line manager about your grievance?	
If so, why are you dissatisfied with the response?	

Signature	
Date	

Please send or give this form to Human Resources.

Appendix 4

Signature	
Date	

Please send this form to the Assistant Director – HR, OD & Payroll **within 5 working days** of receiving your grievance decision in writing.